## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

JAMES A. KOORSEN, JR.,	)	
et al.	)	
Plaintiffs,	)	
	)	
VS.	)	No. 1:17-cv-00440-TWP-MPB
	)	
TARTER REALITY & APPRAISALS,	)	
et al.	)	
Defendants.	)	

## **Entry Directing Entry of Final Judgment**

This action is dismissed for lack of subject matter jurisdiction. The Entry of February 16, 2017, screened the complaint pursuant to 28 U.S.C. § 1915(e) and held that this Court does not have jurisdiction to decide the issues presented. The plaintiff was given a period of time in which to show cause why Judgment consistent with that Entry should not issue.

In response, plaintiff James A. Koorsen, Jr., states that he filed this action in the Southern District of Indiana because he has been trying to settle the claim for over two years and has filed a civil action in the Wayne County Courts without success.

Unfortunately for Mr. Koorsen, his alleged inability to obtain the relief he seeks in state court does not create a federal cause of action for this Court to address. "When a court finds that it lacks jurisdiction, it is improper for it to proceed to the merits of the issue." *United States v. Rachuy*, 743 F.3d 205, 211 (7th Cir. 2014). "Jurisdiction is the power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause." *Steele Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94 (1998) (internal quotation omitted).

That is the case here. This Court lacks jurisdiction to decide the claims presented and final judgment dismissing this civil action shall now issue.

## IT IS SO ORDERED.

Date: 3/28/2017

Distribution:

JAMES A. KOORSEN, JR. 1440 South 14th Street Richmond, IN 47374 TANYA WALTON PRATT, JUDGE

United States District Court Southern District of Indiana